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FORENSIC PSYCHOSEXUAL EVALUATION REPORT

16 July 2022

Jerry N. Theos, Esq.
11 State Street
Charleston, SC 29401

Dear Mr. Theos:
Pursuant to your recent request, below is my final forensic psychosexual evaluation report of **Scott Cascone**, a 48-year-old-male, completed over the course of numerous contacts including 9/28/15, 11/9/18, 12/17/19, 9/28/2020, and now 6/28/2022. The purpose of this evaluation was to address two interrelated issues before the court in his sentencing hearing scheduled for 8/3/2022: 1) his risk to *community safety* once released from incarceration; and 2) more specifically, his likelihood of *sexual recidivism*. At the time of this evaluation session, Mr. Cascone on 8/6/19 had pled guilty to a single count of Production of Child Pornography (18 USC 2251(a) and (e)). The victim of his offense was a then-14-year-old-female. Prior to all evaluation contacts, I had reviewed all documents and reports supplied by your office and at each session had collected an extensive (or updated) personal and sexual history from Mr. Cascone.

For this evaluation, I administered the Information and Orientation scale from the Wechsler Memory Scale-3rd Edition (I&O), the Personality Assessment Screener (PAS), and the Trauma Symptom Inventory (TSI). Following this evaluation I scored the New Jersey Registrant Risk Assessment Scale (NJ-RRAS), a quantitative instrument to assess sex offenders' offense severity and risk to community safety and numerous quantitative measures of sexual recidivism risk: the Static 99-Revised (S99-R), Static 2002-Revised (S2002-R), Minnesota Sex Offender Screening Tool-Revised (MnSOST-R), Rapid Risk Assessment for Sex Offense Recidivism (RRASOR), the Violence Risk Scale-Sex Offender version (VRS-SO), and the Sexual Violence Risk-20 (SVR-20). Finally, I calculated measures of his likelihood to commit non-sexual crimes; that is, his risk of supervised release violations for general criminal offenses: the Salient Factor Score (SFS; used for decades by the U.S. Probation Office), and the SC Department of Probation, Parole, and Pardon Services' Parole Risk Assessment (PRA). All tests and instruments used in this evaluation have been published in peer-reviewed research journals and documents over the past 20 years.

MENTAL STATUS EVALUATION:
Throughout this evaluation session as he had in each of his previous evaluation sessions, Mr. Cascone was alert, oriented, cooperative, and coherent. There was no evidence of a

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psychotic disorder, auditory or visual hallucinations, or delusions as corroborated by the psychological testing described below. His affect was constricted and very anxious but appropriate given his current legal situation. His intelligence likely falls in the upper Average range consistent with his abstract reasoning ability, academic achievement, and receptive/expressive vocabulary. His short-term and long-term memory as measured by the I&O is intact. His judgment and reasoning are intact and realistic.

PSYCHOLOGICAL TESTING:
On the PAS, Mr. Cascone produced a valid and non-malingering test profile. His PAS results suggested that *over the course of his adult lifetime*, he has had significant problems with substance dependence, impulsivity, and depression. However, PAS scales measuring anger/hostility, feelings of alienation and non-support from others, poor physical health, and suspiciousness were not markedly elevated. His PAS results are consistent with his previous Personality Assessment Inventory (PAI) results indicating that his most probable psychological/psychiatric diagnosis is Alcohol and Cannabis Dependence, in a Controlled Environment (current confinement).

On the TSI, Mr. Cascone produced a valid and non-defensive test profile. All TSI scales fell within normal limits suggesting that *over the past 6 months* he has not been experiencing significant symptoms of anxious arousal, depression, anger/irritability, intrusive experiences (traumatic thoughts/memories), dissociation (brief, transient loss of attention/concentration), tension-reducing behavior (impulsivity), or low self-esteem. There was no evidence that he has been suffering from Posttraumatic Stress Disorder (PTSD) or any other anxiety-related disorder.

COMMUNITY SAFETY AND SUPERVISED RELEASE RISK INSTRUMENTS:
The NJ-RRAS was developed in 1995 by a state-wide commission of academics and practitioners at the request of that state's Attorney General. The purpose of the NJ-RRAS is to help local prosecutors' pre-trial decision-making by scoring a quantitative instrument to assess the defendant's relative offense severity and dangerousness to the community *among sex offenders* (Low, Moderate, High categories). Mr. Cascone's NJ-RRAS score (in **bold**) of **32** (74-111 High category) fell in the low severity/low danger group. The convicted sex offenders in this category are **not** likely to be placed on that state's Sex Offender Registry (NJSOR).

Mr. Cascone's scores (in **bold**) were **9** on the SFS (11 best score) and **20** on the PRA (41 maximum score). His SFS score was in the Very Good category (Very Good, Good, Fair, Poor). On the PRA, over 55% of SC probationers with similar scores successfully complete their community supervision, but less than 10% had their supervision revoked due to a new violent crime (which could include a sex offense).

SEXUAL RECIDIVISM RISK INSTRUMENTS:
The sexual recidivism scales which follow—each developed with scoring rules specified by law enforcement agencies—have been validated by dozens of peer-reviewed published forensic psychological research studies involving thousands of convicted adult male sex offenders over the past 20 years. These instruments comprise over 80 case-

specific offender, victim, and offense risk factors which have been repeatedly correlated with high or low sexual reoffending. These instruments have been scored in a light most positive to public safety if the sex offender is under community supervision. Mr. Cascone's scores (in **bold**) on the SVR-20 (**10**; 40 maximum), S99-R (**3**; 12 maximum), S2002-R (**6**; 16 maximum), RRASOR (**2**; 6 maximum), MnSOST-R (**+2**; 31 maximum), and VRS-SO (**24**; 72 maximum) fell in low-to-moderate-risk categories for sexual recidivism. About 15% (range: 9% to 21%) of convicted male sex offenders with similar scores would likely be charged with another sexual offense within 5 to 6 years.

OPINIONS:

Mr. Cascone has a factual and rational understanding of his legal situation and is capable of assisting his attorney during his sentencing hearing.

Mr. Cascone does not meet the American Psychiatric Association's Diagnostic and Statistical Manual-5th Edition (DSM-5) diagnosis of Pedophilic Disorder.

To improve Mr. Cascone's success on supervised release, he should actively participate in sex-offender-specific treatment while confined in prison and also actively participate in AA/NA treatment for long-term (lifelong) sobriety.

If Mr. Cascone had been prosecuted under SC state jurisdiction, he would *not* meet the state's statutory definition of a Sexually Violent Predator (SVP). This opinion is based on my 35+ years of evaluating, treating, and conducting peer-reviewed published research on sex offenders—including 13 years of service on the SVP Act's Multidisciplinary Team reviewing over 6,000 cases of adolescent and adult sex offenders.

Please contact me at (803) 251-3499 or at (803) 463-7573 (cell) if you have questions about this report or need further information about Mr. Cascone. I have attached a summary of my Curriculum Vitae for your and the Court's review.

Geoffrey R. McKee, PhD, ABPP
Board Certified in Forensic Psychology
Affiliate Professor (*pro bono*) (1986-2021)
Department of Neuropsychiatry & Behavioral Sciences
University of South Carolina School of Medicine
&
Affiliate Professor (*pro bono*) (2012-2019)
Department of Psychiatry & Behavioral Sciences
Medical University of South Carolina

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Curriculum Vitae Summary as of 2022

--Invited speaker "Expert psychosexual evaluations", SC Bar CLE, 2022

--Invited panelist "What experts want lawyers to know", SC Bar Convention 2020

--Board-certified in Forensic Psychology, American Board of Professional Psychology (ABPP)

--Affiliate Professor, Department of Neuropsychiatry, U. of South Carolina School of Medicine (pro bono). 2007 Chairman's Award for Outstanding Contributions to Forensic Psychiatry Training Program

--Affiliate Professor, Department of Psychiatry, Medical University of South Carolina (2012-19)

--Private practice in criminal and domestic Forensic Psychology since 1976; licensed psychologist in AZ (1972-80), ND   (1981-85), MN (1984-85), NC (1996-99; 2011-2012), and SC since 1985

--Chief Psychologist, Division of Forensic Evaluation Services, SCDMH 1998-2011.

--SCDMH member to Multidisciplinary Team of SC Sexually Violent Predator Act 1998-2011

--Chief Psychologist, Forensic Psychiatry Division, Hall Psychiatric Institute, 1986-98. Director of Training, Forensic Psychology Rotation, APA-approved clinical psychology internship

--Consultations/evaluations to state and county child protection services agencies on issues of child sexual assault (victims and perpetrators) in AZ, ND, and SC since 1976

--Child custody and parenting capacity evaluations and expert testimony for Family Courts in AZ, ND, and SC since 1976

--Forensic psychological evaluations in over 500 murder cases at state and federal level including gang- related homicides as well as other major felonies.

 --Retained by defense or prosecution for evaluation, consultation, and expert testimony in state and federal courts in over 200 criminal and 30 death penalty trials or appeals in SC, AZ, ND, IN, NC, CA, and KY.

--Expert testimony before the SC Supreme Court twice.

--Past President, American Academy of Forensic Psychology, 1992-94

--Invited Continuing Legal Education lectures to State Bar, Family Court judges, and public defenders' associations in VA, WI, and SC and law students in SC and NY.

--Former Consulting Faculty, National Advocacy Center, US Department of Justice

--Former Consulting Faculty, National Advocacy Center, National District Attorneys Association

--Author, Why Mothers Kill: A Forensic Psychologist's Casebook (2006; Oxford University Press). www.whymotherskill.com

--Founder & President, ISA Metrics, LLC. visual technology products to aid forensic mental health sciences investigations and training

--Publications in peer-reviewed journals and book chapters on maternal filicide, juveniles' trial competency, homicidal and violent adolescents, MMPI/MMPI-2 profiles of adult criminal defendants/sex offenders, and criminal forensic psychology practice.

--Peer-reviewed research presentations/workshops on homicide, violent crimes, and sex offenders

--Case analyst/commentator on "Wicked Attractions" television series, 2009-final episode (2012)

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